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909 7590 04/16/2008 PILLSBURY WINTHROP SHAW PITTMAN, LLP P.O. BOX 10500 MCLEAN, VA 22102			EXAMINER HASHEM, LISA	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/089,405	Applicant(s) HAUMONT, SERGE	
	Examiner LISA HASHEM	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1-15-08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-22 and 24-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-22 and 24-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Amendment, filed 1-15-08, with respect to the rejection(s) of claim(s) 1, 3-22, and 24-32 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made. Please see the rejection(s) below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 21, 22, 24, 29, 30, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,628,954 by McGowan et al, hereinafter McGowan (this patent has a priority date of Sep. 7, 1999 based on provisional application no. 60/152,695; the disclosed invention in the provisional application is the same as the patent).

Regarding claim 21, McGowan discloses a network node (i.e. GGSN) (Fig. 2, 216) in a communication system (Fig. 2) providing a subscription (col. 4, line 43 – col. 5, line 11), wherein the network node is arranged to store a first access point name ('www.abc-isp.com') used in the communication system to define where and how to connect to the user of the subscription; provide access to a first set of services

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(i.e. QoS or other data services) via a connection accessible to the subscription using the first access point name (col. 4, lines 43-55; col. 5, lines 38-40); receive from the communication system an indication indicating the use of a second set of services (i.e. pre-paid data services) for the connection, the indication of the set of services being received as a second access point name (i.e. 'www.prepaid-abc-isp.com'), and in response to receiving the indication to modify the stored first access point name with the received second access point name (col. 5, lines 40-56), and provide access only to services included in the indicated second set of services using the second access point name (col. 5, line 33 – col. 6, line 21; col. 6, line 53 – col. 7, line 32).

Regarding claim 22, a network node as claimed in claim 21, wherein McGowan discloses the network node is arranged, in response to receiving the indication, to inform the user of the subscription of the services accessible via the indicated certain set of services (col. 5, line 46 – col. 6, line 21; col. 6, line 53 – col. 7, line 32).

Regarding claim 24, a network node as claimed in claim 21, wherein McGowan discloses the network node is an application server (col. 4, lines 27-42).

Regarding claim 29, please see the rejection to claim 21, wherein McGowan discloses a processor comprising program code configuring a network element (e.g. GGSN) in a communication system (Fig. 2) (col. 4, lines 27-42).

Regarding claim 30, please see the rejection to claim 22.

Regarding claim 31, a processor as claimed in claim 29, wherein McGowan further comprising program code configuring the network element to receive an access point name (i.e. 'www.prepaid-abc-isp.com' or 'www.abc-isp.com') as the indication of the set of services, the

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access point name being used in the communication system to define where and how to connect the user of the subscription (col. 5, line 33 – col. 6, line 21; col. 6, line 53 – col. 7, line 32).

4. Claims 1, 13, 18, 19, 25, 26, 27, and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,208,851 by Hanson.

Regarding claim 1, Hanson discloses a method comprising:

determining services (i.e. wireless services) accessible via a subscription having an account and at least a first limit (i.e. sufficient account balance) in a communication system (Fig. 2) (col. 3, lines 22-45);

defining at least a first set of services (i.e. prepay call services) and a second set of services (i.e. emergency calls or customer service) to be used with the subscription, each set of services defining services accessible via the subscription (col. 5, lines 29-42);

using in the communication system access point names (Fig. 3: 24, 120) to define where and how to connect the user of the subscription;

defining a first access point name (Fig. 3, 24; cellular switch) for the first set of services;

defining a second access point name (Fig. 3, 120; customer service) for the second set of services;

comparing the balance of the account with the first limit (col. 5, lines 32-42);

selecting, in response to the result of the comparison, an access point name to be used with this connection, wherein the first access point name (Fig. 3, 24) is selected when the balance of the account does not reach the first limit (col. 5, lines 33-38; col. 5, line 61 – col. 6, line 29); and the second access point name (Fig. 3, 120) is selected when the balance reaches the first limit (col. 5, lines 23-28; col. 5, lines 38-42).

Regarding claim 13, Hanson discloses a communication system (Fig. 2) providing a subscription with an account and at least a first limit (i.e. sufficient account balance) (col. 3, lines 22-45), the communication system comprising:

a first node (i.e. prepay wireless platform; Fig. 2, 50) monitoring the balance of the account, wherein:

the communication system comprises memory for storing definitions of at least a first set of services (i.e. prepay call services) associated with a first access point name (Fig. 3, 24; cellular switch) and a second set of services (i.e. emergency calls or customer service) associated with a second access point name (Fig. 3, 120; customer service) to be used with the subscription, each set of services defining services accessible via the subscription (col. 5, lines 29-42); and the communication system is arranged to compare the balance of the account with the first limit, select, in response to the result of the comparison, an access point name to be used with this connection wherein, the first access point name (Fig. 3, 24) is selected when the balance of the account does not reach the first limit (col. 5, lines 33-38; col. 5, line 61 – col. 6, line 29), and the second access point name (Fig. 3, 120) is selected when the balance reaches the first limit (col. 5, lines 23-28; col. 5, lines 38-42).

Regarding claim 18, Hanson discloses a network node (i.e. prepay wireless platform; Fig. 2, 50) in a communication system (Fig. 2) providing a subscription with an account and at least a first limit (i.e. sufficient account balance), the network node being arranged to use access point names to define where and how to connect the user of the subscription and monitor the balance of the account (col. 5, lines 29-42),

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wherein: the network node is arranged to associate a first access point name (Fig. 3, 24; cellular switch) with a first set of services (i.e. prepay call services), and a second access point name (Fig. 3, 120; customer service) with a second set of services (i.e. emergency calls or customer service), both sets of services defining services accessible via the subscription; compare the balance of the account with the first limit (col. 5, lines 32-42); select, in response to the result of the comparison, an access point name to be used with this connection, wherein the first access point name (Fig. 3, 24) is selected when the balance of the account does not reach the first limit (col. 5, lines 33-38; col. 5, line 61 – col. 6, line 29); and the second access point name (Fig. 3, 120) is selected when the balance reaches the first limit (col. 5, lines 23-28; col. 5, lines 38-42).

Regarding claim 19, Hanson discloses a network node (i.e. prepay wireless platform; Fig. 2, 50) in a communication system (Fig. 2) providing a subscription with an account and at least a first limit (i.e. sufficient account balance) (col. 3, lines 22-45), the network node being arranged to monitor the balance of the account, wherein: the network node is arranged to associate a first access point name (Fig. 3, 24; cellular switch) with a first set of services (i.e. prepay call services) and a second access point name (Fig. 3, 120; customer service) with the second set of services (i.e. emergency calls or customer service), both sets of services accessible via the subscription; compare the balance of the account with the first limit; select in response to the result of the comparison, an access point name to be used with this connection, wherein the first access point name (Fig. 3, 24) is selected when the balance of the account does not reach the first limit (col. 5, lines 33-38; col. 5, line 61 – col. 6, line 29), the second access point name (Fig. 3, 120) is selected when the balance reaches the first limit (col. 5, lines 23-28; col. 5, lines 38-42).

Regarding claim 25, Hanson discloses a method of determining services accessible via a subscription having an account (col. 3, lines 22-45) and at least a predetermined first limit (i.e. sufficient account balance) in a communication system (Fig. 2),

the method comprising:

maintaining definitions of at least a first set of services (i.e. prepay call services) and a second set of services (i.e. emergency calls or customer service) to be used with the subscription, each set of services defining services accessible via the subscription (col. 5, lines 29-42),

the second set of services being a subset of the first set of services (i.e. wireless call services) and comprising services (i.e. emergency calls or customer service) which are not charged from the subscriber (col. 5, lines 33-42);

comparing during connection activation, the balance of the account with the first limit (col. 5, lines 32-42);

deciding, during connection activation and on the basis of the comparison, which set of services, among said at least the first set of services and the second set of services, can be used (col. 5, lines 33-42);

using the first set of services when the balance of the account does not reach the first limit (e.g. sufficient account balance) (col. 5, lines 33-38; col. 5, line 61 – col. 6, line 29).

Regarding claim 26, please see the rejection to claim 18 to reject claim 26, wherein Hanson discloses a processor comprising program code configuring a network element (Hanson: i.e. prepay wireless platform) in a communication system (Hanson: col. 3, lines 22-45).

Regarding claim 27, please see the rejection to claim 19 to reject claim 27, wherein Hanson discloses a processor comprising program code configuring a network element (Hanson: i.e. prepaid wireless platform) in a communication system (Hanson: col. 3, lines 22-45).

Regarding claim 28, a processor as claimed in claim 27, wherein Hanson discloses further comprising program code configuring the network element to indicate the allowed set of services in response to the balance reaching the limit and in response to the balance not any more reaching the limit (Hanson: col. 5, lines 29-42).

Regarding claim 32, please see the rejection to claim 1, wherein Hanson discloses a computer readable medium encoding a computer program of instructions for executing a computer process (Hanson: col. 5, lines 29-42) for determining services accessible via a subscription having an account (Hanson: col. 3, lines 22-45) and at least a first limit (i.e. sufficient account balance) (Hanson: col. 5, lines 29-42; col. 5, line 51 – col. 6, line 29) in a communication system (Hanson: Fig. 2).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4-10, 13, 14, 17-20, 26-28, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over McGowan in view of Hanson.

Regarding claim 1, McGowan discloses a method comprising:

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determining services accessible via a subscription having an account and at least a first limit (i.e. sufficient account balance) in a communication system (Fig. 2);

defining at least a first set of services (i.e. pre-paid data services) and a second set of services (i.e. QoS or other data services) to be used with the subscription, each set of services defining services accessible via the subscription (col. 4, lines 43-55; col. 5, lines 46-56);

using in the communication system access point names to define where and how to connect the user of the subscription;

defining a first access point name (i.e. 'www.prepaid-abc-isp.com') for the first set of services (col. 5, lines 38-40);

defining a second access point name (i.e. 'www.abc-isp.com') for the second set of services (col. 5, lines 40-56);

comparing the balance of the account with the first limit;

selecting, in response to the result of the comparison, an access point name to be used with this connection, wherein the first access point name (i.e. 'www.prepaid-abc-isp.com') is selected when the balance of the account does not reach the first limit (col. 5, line 33 – col. 6, line 21); and terminating the connection when the balance reaches the first limit (col. 5, lines 57-65).

McGowan discloses defining a first access point name and a second access point name for a first and second set of services, respectively. However, McGowan does not disclose selecting the second access point name when the balance reaches the first limit.

Hanson discloses a method comprising:

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determining services (i.e. wireless services) accessible via a subscription having an account and at least a first limit (i.e. sufficient account balance) in a communication system (Fig. 2) (col. 3, lines 22-45);

defining at least a first set of services (i.e. prepay call services) and a second set of services (i.e. emergency calls or customer service) to be used with the subscription, each set of services defining services accessible via the subscription (col. 5, lines 29-42);

using in the communication system access point names (Fig. 3: 24, 120) to define where and how to connect the user of the subscription;

defining a first access point name (Fig. 3, 24; cellular switch) for the first set of services;

defining a second access point name (Fig. 3, 120; customer service) for the second set of services;

comparing the balance of the account with the first limit (col. 5, lines 32-42);

selecting, in response to the result of the comparison, an access point name to be used with this connection, wherein the first access point name (Fig. 3, 24) is selected when the balance of the account does not reach the first limit (col. 5, lines 33-38; col. 5, line 61 – col. 6, line 29); and the second access point name (Fig. 3, 120) is selected when the balance reaches the first limit (col. 5, lines 23-28; col. 5, lines 38-42).

Again, McGowan discloses the claimed method except McGowan discloses selecting a first access point name in response to the result of the comparison when the balance of the account does not reach the first limit and a second access point name (i.e. 'www.abc-isp.com') to access a non pre-paid data service. However, the claimed feature of selecting a second access

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point name before connecting the user based on the result of the comparison was old and well known in the art. Hanson teaches such concept.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of McGowan to include selecting the second access point name when the balance reaches the first limit as taught by Hanson. One of ordinary skill in the art would have been lead to make such a modification of McGowan to provide a subscriber access to non pre-paid data services, such as the free services of Hanson, to the subscription of McGowan so the subscriber of McGowan can utilize services without having a sufficient account balance.

Regarding claim 4, a method as claimed in claim 1, wherein McGowan discloses the method further comprising defining accessible services via a set of services by defining at least a range of allowed addresses for the set of services (col. 5, lines 33-45).

Regarding claim 5, a method as claimed in claim 1, wherein McGowan discloses the method further comprising the step of indicating the set of services which is to be used by charging characteristics to be applied (col. 5, line 33 – col. 6, line 21; col. 6, line 53 – col. 7, line 42).

Regarding claim 6, a method as claimed in claim 1, wherein McGowan in view of Hanson discloses the second set of services comprising services free of charge (McGowan: col. 5, lines 33-45; Hanson: col. 5, lines 38-42).

Regarding claim 7, a method as claimed in claim 1, wherein McGowan discloses the second set of services being a subset of the first set of services (i.e. data services) (col. 5, lines 33-45).

Regarding claim 8, a method as claimed in claim 1, wherein McGowan discloses the method further comprising informing the user of the subscription of the services accessible via the second set of services in response to using the second set of services (col. 4, line 43 – col. 5, line 11).

Regarding claim 9, a method as claimed in claim 1, wherein McGowan discloses the subscription is a postpaid subscription (i.e. subscriber can pay after data session has started); the first limit is the maximum allowed amount of the bill (i.e. pre-defined threshold account balance); and the balance of the account indicates the amount of the bill to be charged from the subscription (i.e. minimum amount that is needed for pre-paid data services) (col. 6, line 53 – col. 7, line 42).

Regarding claim 10, a method as claimed in claim 1, wherein McGowan discloses the subscription is a prepaid subscription (col. 5, lines 46-65); the first limit is the preset minimum value for the account (i.e. sufficient account balance); and the balance of the account indicates the amount of money the subscriber still has in use (i.e. account balance of the subscriber) (col. 1, lines 26-36; col. 7, lines 20-22).

Regarding claim 13, McGowan discloses a communication system (Fig. 2) providing a subscription with an account and at least a first limit (i.e. sufficient account balance), the communication system comprising:
a first node (i.e. SCP) monitoring the balance of the account, wherein:
the communication system comprises memory for storing definitions of at least a first set of services (i.e. pre-paid data services) associated with a first access point name (i.e. 'www.prepaid-abc-isp.com') and a second set of services (i.e. QoS or other data services) associated with a

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second access point name (i.e. 'www.abc-isp.com') to be used with the subscription (col. 4, lines 43-55; col. 5, line 33 – col. 6, line 21),

each set of services defining services accessible via the subscription (col. 4, lines 43-55; col. 5, lines 46-56); and

the communication system is arranged to compare the balance of the account with the first limit, select, in response to the result of the comparison, an access point name to be used with this connection wherein, the first access point name (i.e. 'www.prepaid-abc-isp.com') is selected when the balance of the account does not reach the first limit (col. 5, line 33 – col. 6, line 21), and terminating the connection when the balance reaches the first limit (col. 5, lines 57-65).

McGowan discloses defining a first access point name and a second access point name for a first and second set of services, respectively. However, McGowan does not disclose selecting the second access point name when the balance reaches the first limit.

Hanson discloses a communication system (Fig. 2) providing a subscription with an account and at least a first limit (i.e. sufficient account balance) (col. 3, lines 22-45), the communication system comprising:

a first node (i.e. prepay wireless platform; Fig. 2, 50) monitoring the balance of the account, wherein:

the communication system comprises memory for storing definitions of at least a first set of services (i.e. prepay call services) associated with a first access point name (Fig. 3, 24; cellular switch) and a second set of services (i.e. emergency calls or customer service) associated with a second access point name (Fig. 3, 120; customer service) to be used with the subscription, each set of services defining services accessible via the subscription (col. 5, lines 29-42); and

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the communication system is arranged to compare the balance of the account with the first limit, select, in response to the result of the comparison, an access point name to be used with this connection wherein, the first access point name (Fig. 3, 24) is selected when the balance of the account does not reach the first limit (col. 5, lines 33-38; col. 5, line 61 – col. 6, line 29), and the second access point name (Fig. 3, 120) is selected when the balance reaches the first limit (col. 5, lines 23-28; col. 5, lines 38-42).

Again, McGowan discloses the claimed system except McGowan discloses selecting a first access point name in response to the result of the comparison when the balance of the account does not reach the first limit and a second access point name (i.e. ‘www.abc-isp.com’) to access a non pre-paid data service. However, the claimed feature of selecting a second access point name before connecting the user based on the result of the comparison was old and well known in the art. Hanson teaches such concept.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McGowan to include selecting the second access point name when the balance reaches the first limit as taught by Hanson. One of ordinary skill in the art would have been lead to make such a modification of McGowan to provide a subscriber access to non pre-paid data services, such as the free services of Hanson, to the subscription of McGowan so the subscriber of McGowan can utilize services without having a sufficient account balance.

Regarding claim 14, a communication system as claimed in claim 13, wherein:
McGowan discloses the first node is arranged to perform the comparison during connection activation and to indicate which set of services is to be used with the connection; and

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in response to a connection with access to the first set of services to trigger deactivation of the connection when the balance reaches the first limit (col. 5, lines 32-65; col. 6, line 53 – col. 7, line 32).

Regarding claim 17, a communication system as claimed in claim 13, wherein:

McGowan discloses the communication system supports the General Packet Radio Service; and the connection is activated by activating a PDP context (col. 4, line 56 – col. 5, line 11).

Regarding claim 18, McGowan discloses a network node (i.e. SCP) (Fig. 2: 212) in a communication system (Fig. 2) providing a subscription with an account and at least a first limit (i.e. sufficient account balance), the network node being arranged to use access point names to define where and how to connect the user of the subscription and monitor the balance of the account (col. 1, lines 26-36; col. 4, lines 43-55; col. 5, lines 33-56), wherein: the network node is arranged to associate a first access point name (i.e. 'www.prepaid-abc-isp.com') with a first set of services (i.e. pre-paid data services) (col. 5, lines 40-56), and a second access point name (i.e. 'www.abc-isp.com') with a second set of services (i.e. QoS or other data services) (col. 4, lines 43-55; col. 5, lines 38-40), both sets of services defining services accessible via the subscription; compare the balance of the account with the first limit; select, in response to the result of the comparison, an access point name to be used with this connection, wherein the first access point name (i.e. 'www.prepaid-abc-isp.com') is selected when the balance of the account does not reach the first limit (col. 5, line 33 – col. 6, line 21); and terminating the connection when the balance reaches the first limit (col. 5, lines 57-65).

McGowan discloses defining a first access point name and a second access point name for a first and second set of services, respectively. However, McGowan does not disclose selecting the second access point name when the balance reaches the first limit.

Hanson discloses a network node (i.e. prepay wireless platform; Fig. 2, 50) in a communication system (Fig. 2) providing a subscription with an account and at least a first limit (i.e. sufficient account balance), the network node being arranged to use access point names to define where and how to connect the user of the subscription and monitor the balance of the account (col. 5, lines 29-42),

wherein: the network node is arranged to associate a first access point name (Fig. 3, 24; cellular switch) with a first set of services (i.e. prepay call services), and a second access point name (Fig. 3, 120; customer service) with a second set of services (i.e. emergency calls or customer service), both sets of services defining services accessible via the subscription; compare the balance of the account with the first limit (col. 5, lines 32-42); select, in response to the result of the comparison, an access point name to be used with this connection, wherein the first access point name (Fig. 3, 24) is selected when the balance of the account does not reach the first limit (col. 5, lines 33-38; col. 5, line 61 – col. 6, line 29); and the second access point name (Fig. 3, 120) is selected when the balance reaches the first limit (col. 5, lines 23-28; col. 5, lines 38-42).

Again, McGowan discloses the claimed network node except McGowan discloses selecting a first access point name in response to the result of the comparison when the balance of the account does not reach the first limit and a second access point name (i.e. 'www.abc-isp.com') to access a non pre-paid data service. However, the claimed feature of selecting a

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second access point name before connecting the user based on the result of the comparison was old and well known in the art. Hanson teaches such concept.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network node of McGowan to include selecting the second access point name when the balance reaches the first limit as taught by Hanson. One of ordinary skill in the art would have been lead to make such a modification of McGowan to provide a subscriber access to non pre-paid data services, such as the free services of Hanson, to the subscription of McGowan so the subscriber of McGowan can utilize services without having a sufficient account balance.

Regarding claim 19, McGowan discloses a network node (i.e. SCP) (Fig. 2: 212) in a communication system (Fig. 2) providing a subscription with an account (col. 4, line 43 – col. 5, line 11) and at least a first limit (i.e. sufficient account balance) (col. 1, lines 26-36), the network node being arranged to monitor the balance of the account, wherein: the network node is arranged to associate a first access point name (i.e. ‘www.prepaid-abc-isp.com’) with a first set of services (i.e. pre-paid data services) (col. 5, lines 40-56) and a second access point name (i.e. ‘www.abc-isp.com’) with the second set of services (i.e. QoS or other data services) (col. 4, lines 43-55; col. 5, lines 38-40), both sets of services accessible via the subscription (col. 5, lines 33-56); communicate with a second network node (i.e. GGSN); compare the balance of the account with the first limit; select in response to the result of the comparison, an access point name to be used with this connection, wherein the first access point name (i.e. ‘www.prepaid-abc-isp.com’) is selected when the balance of the account does not reach the first limit, terminating the

connection when the balance reaches the first limit (col. 5, lines 57-65), and indicate to the second network node the selected access point name (col. 5, line 33 – col. 6, line 21).

McGowan discloses defining a first access point name and a second access point name for a first and second set of services, respectively. However, McGowan does not disclose selecting the second access point name when the balance reaches the first limit.

Hanson discloses a network node (i.e. prepay wireless platform; Fig. 2, 50) in a communication system (Fig. 2) providing a subscription with an account and at least a first limit (i.e. sufficient account balance) (col. 3, lines 22-45), the network node being arranged to monitor the balance of the account, wherein: the network node is arranged to associate a first access point name (Fig. 3, 24; cellular switch) with a first set of services (i.e. prepay call services) and a second access point name (Fig. 3, 120; customer service) with the second set of services (i.e. emergency calls or customer service), both sets of services accessible via the subscription; compare the balance of the account with the first limit; select in response to the result of the comparison, an access point name to be used with this connection, wherein the first access point name (Fig. 3, 24) is selected when the balance of the account does not reach the first limit (col. 5, lines 33-38; col. 5, line 61 – col. 6, line 29), the second access point name (Fig. 3, 120) is selected when the balance reaches the first limit (col. 5, lines 23-28; col. 5, lines 38-42).

Again, McGowan discloses the claimed network node except McGowan discloses selecting a first access point name in response to the result of the comparison when the balance of the account does not reach the first limit and a second access point name (i.e. ‘www.abc-isp.com’) to access a non pre-paid data service. However, the claimed feature of selecting a

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second access point name before connecting the user based on the result of the comparison was old and well known in the art. Hanson teaches such concept.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the network node of McGowan to include selecting the second access point name when the balance reaches the first limit as taught by Hanson. One of ordinary skill in the art would have been lead to make such a modification of McGowan to provide a subscriber access to non pre-paid data services, such as the free services of Hanson, to the subscription of McGowan so the subscriber of McGowan can utilize services without having a sufficient account balance.

Regarding claim 20, a network node as claimed in claim 19, wherein McGowan in view of Hanson discloses the network node is arranged to indicate the selected access point name in response to the balance reaching the limit and in response to the balance not any more reaching the limit (McGowan: col. 5, line 33 – col. 6, line 21; Hanson: col. 5, lines 29-42).

Regarding claim 26, please see the rejection to claim 18 to reject claim 26, wherein McGowan in view of Hanson disclose a processor comprising program code configuring a network element (McGowan: i.e. SCP; Hanson: i.e. prepay wireless platform) in a communication system (McGowan: col. 4, lines 27-42; Hanson: col. 3, lines 22-45).

Regarding claim 27, please see the rejection to claim 19 to reject claim 27, wherein McGowan in view of Hanson disclose a processor comprising program code configuring a network element (McGowan: i.e. SCP; Hanson: i.e. prepay wireless platform) in a communication system (McGowan: col. 4, lines 27-42; Hanson: col. 3, lines 22-45).

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Regarding claim 28, a processor as claimed in claim 27, wherein McGowan in view of Hanson disclose further comprising program code configuring the network element to indicate the allowed set of services in response to the balance reaching the limit and in response to the balance not any more reaching the limit (McGowan: col. 5, line 33 – col. 6, line 21; Hanson: col. 5, lines 29-42).

Regarding claim 32, please see the rejection to claim 1, wherein McGowan in view of Hanson disclose a computer readable medium encoding a computer program of instructions for executing a computer process (McGowan: col. 4, lines 27-42; Hanson: col. 5, lines 29-42) for determining services accessible via a subscription having an account (McGowan: col. 4, line 43 – col. 5, line 11; Hanson: col. 3, lines 22-45) and at least a first limit (i.e. sufficient account balance) (McGowan: col. 1, lines 26-36; Hanson: col. 5, lines 29-42; col. 5, line 51 – col. 6, line 29) in a communication system (McGowan: Fig. 2; Hanson: Fig. 2).

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over McGowan in view of Hanson, as applied to claim 1, in view of Sjodin.

Regarding claim 3, a method as claimed in claim 1, wherein McGowan in view of Hanson do not disclose a firewall.

Sjodin discloses a method of determining services accessible via a subscription in a communication system (Fig. 1) (col. 7, lines 47-54), the method further comprising: the communication system comprising a firewall (e.g. a system designed to prevent un-authorized access to or from a private network); and

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defining accessible services via a set of services by defining at least a firewall configuration for the set of services (col. 7, lines 47-54; col. 10, lines 53-61; col. 11, lines 8-40; col. 13, line 17 – col. 14, line 41).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of McGowan in view of Hanson to include a firewall as taught by Sjodin. One of ordinary skill in the art would have been lead to make such a modification to provide a restrictive screening policy in order to restrict access of a certain application.

8. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over McGowan in view of Hanson, as applied to claim 1, in view of Hartmaier.

Regarding claim 11, a method as claimed in claim 10, wherein McGowan in view of Hanson do not disclose at least the second set of services comprises a deposition service.

Hartmaier discloses a method of determining services accessible via a subscription having an account (e.g. pre-paid subscriber account) and at least a first limit (e.g. predetermined minimum account threshold) in a communication system (Fig. 1) (see Abstract; col. 2, lines 8-32; col. 2, lines 49-53; col. 10, lines 5-39);

defining at least a first set of services (e.g. telephony services) and a second set of services (e.g. replenishment of the account, calls with special rates) (col. 8, line 18 – col. 9, line 25; col. 10, lines 5-39);

comparing the balance of the account with the first limit (col. 2, lines 17-32; col. 5, lines 4-18; col. 7, line 54 – col. 8, line 34);

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using the first set of services (e.g. making or receiving a call) when the balance of the account does not reach the first limit (e.g. sufficient account balance) (col. 5, lines 4-18; col. 8, line 35 – col. 9, line 25); and

using the second set of services (e.g. replenishment of the account, calls with special rates) when the balance reaches the first limit (e.g. threshold is reached) (col. 2, lines 17-32; col. 8, lines 18-34; col. 10, lines 21-32).

Wherein Hartmaier further discloses at least the second set of services comprises a deposition service (col. 2, lines 17-32; col. 7, line 54 – col. 8, line 34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of McGowan in view of Hanson to include at least the second set of services comprises a deposition service as taught by Hartmaier. One of ordinary skill in the art would have been lead to make such a modification to provide a convenient way to deposit money in a subscriber's account.

Regarding claim 12, a method as claimed in claim 11, wherein Hartmaier discloses the depositing service utilizes authentication of the communication system when authenticating the one who wants to deposit (col. 2, lines 27-32).

9. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over McGowan in view of Hanson, as applied to claim 1, in view of Hartmaier.

Regarding claim 15, a communication system as claimed in claim 13, wherein:
McGowan discloses the communication system further comprises a second node (e.g. GGSN) maintaining subscription information including at least an indication indicating an allowed set of services for the subscription; and the second node is arranged to send at least information on the

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allowed set of services as a part of the subscription information to the communication system during connection activation (col. 4, line 27 – col. 5, line 11); in response to a received direction from the first node to modify the first indication to correspond to the received direction; and in response to modifying the allowed set of services of an active connection to trigger deactivation of the connection (col. 5, lines 32-65; col. 6, line 45 – col. 7, line 32).

McGowan in view of Hanson do not disclose the first node is arranged to perform the comparison and in response to the balance reaching the first limit to direct the second node to set the second set of services as the allowed set of services and in response to the balance, not any more reaching the first limit after reaching the first limit, to direct the second node to set the first set of services as the allowed set of services.

Hartmaier discloses a communication system (Fig. 1) providing a subscription with an account (e.g. pre-paid subscriber account) and at least a first limit (e.g. predetermined minimum account threshold) (see Abstract; col. 2, lines 8-32; col. 2, lines 49-53; col. 10, lines 5-39),

the communication system (Fig. 1) comprising:

a first node (e.g. SCP with call monitoring module) monitoring the balance of the account (col. 2, lines 17-32; col. 5, lines 4-18; col. 7, line 54 – col. 8, line 34),

wherein: the communication system comprises memory for storing definitions of at least a first set of services (e.g. telephony services) and a second set of services (e.g. replenishment of the account, calls with special rates) to be used with the subscription (col. 8, line 18 – col. 9, line 25; col. 10, lines 5-39),

each set of services defining services accessible via the subscription (col. 8, line 18 – col. 9, line 25; col. 10, lines 5-39); and

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the communication system is arranged to compare the balance with the first limit and to allow access to the first set of services (e.g. making a call or receiving a call) when the balance has not reached the first limit (e.g. sufficient account balance) (col. 5, lines 4-18; col. 8, line 35 – col. 9, line 25), and

to allow access to the second set of services (e.g. replenishment of the account, calls with special rates) when the balance has reached the first limit (e.g. threshold is reached) (col. 2, lines 17-32; col. 8, lines 18-34; col. 10, lines 21-32).

Wherein: Hartmaier further discloses the communication system further comprises a second node (e.g. MSC) maintaining subscription information including at least an indication indicating an allowed set of services for the subscription (col. 3, lines 54-63; col. 4, lines 9-28; col. 5, lines 1-18; col. 10, lines 5-17);

the first node is arranged to perform the comparison and in response to the balance reaching the first limit to direct the second node to set the second set of services as the allowed set of services and in response to the balance, not any more reaching the first limit after reaching the first limit, to direct the second node to set the first set of services as the allowed set of services (col. 7, line 54 – col. 8, line 34); and

the second node is arranged to send at least information on the allowed set of services as a part of the subscription information to the communication system during connection activation;

in response to a received direction from the first node to modify the first indication to correspond to the received direction; and in response to modifying the allowed set of services of an active connection to trigger deactivation of the connection (col. 5, lines 2-18; col. 7, line 54 – col. 8, line 34).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McGowan in view of Hanson to include the first node is arranged to perform the comparison and in response to the balance reaching the first limit to direct the second node to set the second set of services as the allowed set of services and in response to the balance, not any more reaching the first limit after reaching the first limit, to direct the second node to set the first set of services as the allowed set of services as taught by Hartmaier. One of ordinary skill in the art would have been lead to make such a modification to provide the second set of services as the allowed set of services if the first set of services is inaccessible due to a low balance.

Regarding claim 16, a communication system as claimed in claim 15, wherein Hartmaier further discloses the subscription information maintained in the second node further includes at least identification information on the first and second set of services and the indication indicates which one of the sets of services is the allowed set of services (col. 5, lines 2-18; col. 7, line 54 – col. 8, line 34).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

11. Any response to this action should be mailed to:

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Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LISA HASHEM whose telephone number is (571)272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner, Art Unit 2614
April 9, 2008